

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:	§		
Yasuhiko Takahashi <i>et al.</i>	§		
	§		
Conf. No.: 5928	§	Group Art Unit:	1636
	§		
Appln. No.: 10/593,216	§	Examiner:	Nancy Treptow Vogel
	§		
Filing Date: April 10, 2007	§	Attorney Docket No.:	600630-58US
	§		(S11530US01)
Title: GM1 PROMOTER AND USE THEREOF			

RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the Office Action dated September 30, 2009 (Paper No. 20090915). This response is being timely submitted in view of the submission herewith of a Petition for Extension of Time (one month) to and including November 30, 2009, including authorization to charge the extension fee.

At the Office Action Summary page, item 12 b), the Examiner indicated that some of the certified copies of the priority documents have not been received, and noted that “see the attached detailed Office action for a list of the certified copies not received.” Applicants respectfully seek clarification, because the detailed Office Action does not contain the list of the certified copies not received.

The Office Action relates only to a restriction requirement. The Examiner has identified five (5) groups of inventions, as follows:

- I. Claims 1-9 and 13, drawn to a polynucleotide comprising a nucleotide sequence of a promoter region of a gene encoding alpha subunit Gm1 of trimeric G-protein, and method of using for searching for a signal transduction controlling substance, and medicine obtained by searching method;
- II. Claim 10, drawn to a method for evaluating an ability of a substance to control signal transduction;

- III. Claim 11, drawn to a method for searching a substance which binds to a polynucleotide comprising a nucleotide sequence of a promoter region of a gene encoding alpha subunit Gm1 of trimeric G-protein;
- IV. Claim 12, drawn to a method for purifying a substance which binds to a polynucleotide comprising a nucleotide sequence of a promoter region of a gene encoding alpha subunit Gm1 of trimeric G-protein; and
- V. Claim 15, drawn to a medicine obtained by a method for searching a substance which binds to a polynucleotide comprising a nucleotide sequence of a promoter region of a gene encoding alpha subunit Gm1 of trimeric G-protein.

The Examiner indicated that Groups I-V do not relate to a single general inventive concept under PCT Rule 13.1, allegedly because they lack the same or corresponding special technical features.

Applicants hereby respectfully traverse the restriction requirement. All presently pending claims are based on a single general inventive concept under PCT Rule 13.1, i.e., a nucleotide sequence of a promoter region of a gene encoding alpha subunit Gm1 of trimeric G-protein and its uses. The claims are directed to a polynucleotide, plasmid or transformed cell comprising the nucleotide sequence (claims 1-8), methods related to the nucleotide sequence (claims 9-12), a kit related to the method and the transformed cell (claim 13), and medicines related to the methods (claims 14 and 15), all related to the same general inventive concept. Indeed, the PCT administrative authority has not observed the lack of unity of invention in the international search report. This indicates that the PCT administrative authority has considered the present application to possess a common technical feature sufficient to establish unity of invention under PCT Rule 13.1.

Accordingly, reconsideration and withdrawal of the restriction requirement and examination of all pending claims 1-15 are respectfully requested. At least, withdrawal of the restriction requirement and examination of claims 1-13 are respectfully requested.

In the event that the Examiner maintains the restriction requirement, Applicants hereby provisionally elect, with the foregoing traversal, Group I, which includes claims 1-9 and 13, for examination.

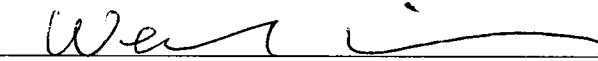
Early substantive examination and a Notice of Allowance with respect to the examined claims are respectfully solicited.

Respectfully submitted,

YASUHIKO TAKAHASHI *et al.*

11/30/2009
(Date)

By:



WEIHONG HSING, PH.D.

Registration No. 51,823

PANITCH SCHWARZE BELISARIO & NADEL LLP

One Commerce Square

2005 Market Street, Suite 2200

Philadelphia, PA 19103-7013

Telephone: 215-965-1200

Direct Dial: 215-965-1284

Facsimile: 215-965-1331

E-Mail: whsing@panitchlaw.com

WH/msm